

REMARKS

The Examiner has determined that the present application contains two patentably distinct species, and has required applicant to elect a single species for prosecution on the merits to which the application will be restricted should no generic claim be allowed. The Examiner has identified Fig. 7 as one species and Fig. 8 as a second species.

In response to this requirement, applicant elects the 'species' of Fig. 8 for prosecution, with traverse. Claims 1-8 and 10-22 read on the 'species' of Fig. 8. Claims 1-8 and 10-22 are considered generic to both 'species'.

TRAVERSE

Initially, it is noted that the present application is the national stage of a PCT application and, accordingly, restriction/election practice is not applicable. Rather, the present application must be examined under the unity of invention standard. It is noted that the application contains only one independent claim and, therefore, unity of invention is inherently satisfied. This has been acknowledged through the international stage prosecution of this application, to which determination the US Examiner is bound under the provisions of the Patent Cooperation Treaty. For these reasons alone, withdrawal of the election requirement is requested.

Further, it is noted that the Examiner's Species I (Fig. 7) is an electric drive system applied to a vehicle (stationary training apparatus) while Species II (Fig. 8) is the same electric drive system applied to a different vehicle. Therefore, it is not clear to the undersigned how the present application can be considered as

disclosing different species. The invention is an electric drive system - Figs. 7 and 8 merely show the electric drive system used in two different fashions. That does not amount to a different 'species' of invention - just two different applications of the same invention.

In light of the foregoing, it is respectfully submitted that the election/restriction requirement be withdrawn. If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. WLL-12659.

Respectfully submitted,

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